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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,849	06/14/2006	Leonardo Badino	09985.0003	6945
22852	7590	09/14/2010		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER ROBERTS, SHAUN A	
			ART UNIT	PAPER NUMBER
			2626	
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			09/14/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/582,849

Applicant(s)

BADINO ET AL.

Examiner

SHAUN ROBERTS

Art Unit

2626

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/200)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

6DETAILED ACTION

This action is responsive to the communication filed 8/5/2010.

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/5/2010 has been entered.

Response to Amendment

2. Claims 18, 26, and 34 have been amended.

Response to Arguments

3. Applicant's arguments filed 8/5/2010 have been fully considered but they are not persuasive.

Applicant argues that the amendment said similarity test performing a comparison between said phonemes of said second language and said set of candidate phonemes based on at least one feature, said at least one feature being independent of said first language and said second language is not taught by the current prior art. Examiner respectfully disagrees.

Campbell teaches carrying out non-acoustic similarity tests between each phoneme of said phonemes of said second language being mapped and a set of candidate mapping phonemes of said first language, said similarity tests performing a comparison between said phonemes of said second language and said set of candidate phonemes based on at least one feature, said at least one feature being independent of said first language and said second language (Intro para. 5: match the sounds of the target speech through the use of a mapping vector; 3.1; 3.2: for each phone...perform a cepstral based scoring of every candidate phone..- where scores/similarity test are used to generate the best representations; and where comparison is independent of language, allowing for mapping between any sets of languages; also mentioned below, the features are not specifically defined, however disclosure mentions vector of the phonetic features (on page 8 l. 6 of specification), and where Campbell teaches (and is known in the art) the use of vectors of the phonetic features for mapping).

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 18 and 26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Examiner would like to point out that the claim merely mentions “one feature”, which is not specifically defined. It is therefore interpreted as “the vector of the phonetic features (as mentioned on page 8 l. 6 of specification).”

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 18- 19, 21-22, 24- 27, 29-30, 32-34 are rejected under 35 U.S.C. 102(b) as being anticipated by CAMPBELL, *"FOREIGN-LANGUAGE SPEECH SYNTHESIS"*, XP002285739, *Proceedings of ESCA/COCOSD A Workshop on Speech Synthesis*, pp. 177-180, (1998) (Applicant's admitted prior art- further referred to as Campbell).

Regarding claims 18 and 26 Campbell teaches a method and system (where the method of Campbell is inherently tied to a system for implementation) for text-to-speech conversion of a text in a first language comprising sections in at least one second language (*Intro para. 3: pronounce the foreign words that appear in a multi-lingual text*), comprising the steps of:

converting said sections in said second language into phonemes of said second language (*2 Multi-Lingual Text para 4: produce a phonetic rendering of each utterance*);

mapping at least part of said phonemes of said second language onto sets of phonemes of said first language (*Intro para. 5: match the sounds of the target speech through the use of a mapping vector; 3.1*);

including said sets of phonemes of said first language resulting from said mapping in the stream of phonemes of said first language representative of said text to produce a resulting stream of phonemes; and

generating a speech signal from said resulting stream of phonemes (*3.1 Phone Mapping; Intro para. 3: pronounce the foreign words that appear in a multi-lingual text...synthesizing email or...pages...*),

wherein said step of mapping comprises: carrying out non-acoustic similarity tests between each phoneme of said phonemes of said second language being mapped and a set of candidate mapping phonemes of said first language, said similarity test performing a comparison between said phonemes of said second language and said set of candidate phonemes based on at least one feature, said at least one feature being independent of said first language and said second language (*Intro para. 5: match the sounds of the target speech through the use of a mapping vector; 3.1; 3.2: for each phone...perform a cepstral based scoring of every candidate phone.*- where scores/similarity test are used to generate the best representations; and where comparison is independent of language, allowing for mapping between any sets of languages; also mentioned above the features are not specifically defined, however disclosure mentions vector of the phonetic features (on page 8 l. 6 of specification), and where Campbell teaches (and is known in the art) the use of vectors of the phonetic features for mapping);

assigning respective scores to the results of said tests; and mapping each said phoneme of said second language onto a set of mapping phonemes of said first language selected from said candidate mapping phonemes as a function of said scores (3.1, 3.2 – where it is further known to perform phoneme mapping by the use of scores to generate the best representation).

Regarding claims 19 and 27 Campbell teaches mapping said phoneme of said second language into a set of mapping phonemes of said first language selected from: a set of phonemes of said first language including three, two or one phonemes of said first language (*Intro para. 5: match the sounds of the target speech through the use of a mapping vector; 3.1 phone Mapping*—where segments and vectors can include multiple phonemes),

or an empty set, whereby no phoneme is included in said resulting stream for said phoneme in said second language.

Regarding claims 21 and 29 Campbell teaches representing said phonemes of said second language and said candidate mapping phonemes of said first language as phonetic category vectors, whereby a vector representative of phonetic categories of each said phoneme of said second language is subject to comparison with a set of phonetic category vectors representative of the phonetic categories of said candidate mapping phonemes in said first language (*Intro para. 5: match the sounds of the target speech through the use of a mapping vector* – where phonetic categories are well known in the art (based on the International Phonetic Alphabet by the International Phonetic Association), and when using phonemes some of these features are inherently (and have to be) used).

Regarding claims 22 and 30 Campbell teaches wherein said comparison is carried out on a category-to-category basis by allotting respective score values to said category-by-category comparisons, said respective score values being aggregated to generate said scores (3.1; 3.2: *for each phone...perform a cepstral based scoring of every candidate phone.* – where it is further known to perform phoneme mapping by the use of scores to generate the best representation, and where phonetic categories are well known in the art (based on the International Phonetic Alphabet by the International Phonetic Association), and when using phonemes some of these features are inherently (and have to be) used).

Regarding claims 24 and 32 Campbell teaches selecting said phonetic categories from the group of: (a) two basic categories of vowel and consonant; (b) a category diphthong; (c) vowel characteristics unstressed/stressed, non-syllabic, long, nasalized, rhoticized, or rounded; (d) vowel categories front, central, or back; (e) vowel categories close, close-close-mid, close-mid, mid, open-mid, open-open-mid, or open; (f) consonant mode categories plosive, nasal, trill, tapflap, fricative, lateral-fricative, approximant, lateral, or affricate; (g) consonant place categories bilabial, labiodental, dental, alveolar, postalveolar, retroflex, palatal, velar, uvular, pharyngeal, or glottal; and (h) other consonant categories voiced, long, syllabic, aspirated, unreleased, voiceless, or semiconsonant.

Where these are well known phonetic features/categories in the art (based on the International Phonetic Alphabet by the International Phonetic Association), and when using phonemes some of these features are inherently (and have to be) used. The known nature of

these features is further shown in applicant's disclosure by the mention of the features based on the international standard (IPA) (*Page 7 lines 25-26*).

Regarding claims 25 and 33 Campbell teaches the step of pronouncing said resulting stream of phonemes by means of a speaker voice of said first language (*Abstract : rather than switch voices; Introduction para. 3: using the voice of the original speaker*).

Regarding claim 34 Campbell teaches a non-transitory computer readable medium encoded with a computer program product loadable in a memory of at least one computer, the computer program product comprising software portions for performing the steps of the method of claim 18 (where based on the nature of the reference, this is inherently known. Further, the application of email and HTML further demonstrates the method being performed using such).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 23 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over CAMPBELL, "FOREIGN-LANGUAGE SPEECH SYNTHESIS", XP002285739, *Proceedings of ESCA/COCOSD A Workshop on Speech Synthesis*, pp. 177-180, (1998) (Applicant's admitted prior art- further referred to as Campbell).

Regarding claims 23 and 31 Campbell teaches allotting differentiated weights to said score values in aggregating said respective score values to generate said scores.

The claim merely mentions the use of weights. It would have been obvious to one of ordinary skill in the art to give weight to the scores to allow for the selection of the closest phoneme vector based on a particular characteristic that is deemed most important.

7. Claims 20 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over CAMPBELL, "FOREIGN-LANGUAGE SPEECH SYNTHESIS", XP002285739, *Proceedings of ESCA/COCOSD A Workshop on Speech Synthesis*, pp. 177-180, (1998) (Applicant's admitted prior art- further referred to as Campbell) in view of Jensen, K., Riis, S., and Morten Pedersen. "Multilingual Text-To-Phoneme mapping for Speaker Independent name Dialing in Mobile Terminals." RTO-MP-066, Sept 2001 (further referred to as Jensen).

Regarding claims 20 and 28 Campbell does not specifically teach wherein said step of mapping comprises: defining a threshold value for the results of said tests; and mapping onto said empty set of phonemes of said first language any phoneme of said second language for which any of said scores fails to reach said threshold value.

Jensen teaches multilingual text-to-phoneme mapping (3. *Multilingual TTP Mapping*) that incorporates scoring and a threshold (*Page 3 Col 1 para. 2: larger than the threshold...*). It would have been obvious to one of ordinary skill in the art at the time of the invention to not include phonemes that are not closely related based on a threshold to avoid the use of an

incorrect pronunciation which could lead to numerous results, such as the section being incomprehensible.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHAUN ROBERTS whose telephone number is (571)270-7541. The examiner can normally be reached Mon - Fri 7-4 est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Talivaldis Smits can be reached on (571)272-7628. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. R./
Examiner, Art Unit 2626

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/Talivaldis Ivars Smits/
Primary Examiner, Art Unit 2626

9/10/2010